

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
NORTHEASTERN DIVISION

State of North Dakota,	)	
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
vs.	)	Case No. 2:06-cv-96
	)	
Peter Grzeskowiak,	)	
	)	
Defendant.	)	

Petitioner, Peter Grzeskowiak, filed a motion to proceed *in forma pauperis* (“IFP”). On January 8, 2007, Magistrate Judge Karen K. Klein issued a Report and Recommendation recommending that the motion be denied (Doc. #2). The Magistrate Judge concluded that, because Plaintiff has failed to state a claim for which relief can be granted in federal court, denial of the application to proceed IFP is appropriate, pursuant to 28 U.S.C. § 1915(e)(2).

The Court has reviewed the Report and Recommendation, along with the entire file, and finds that the Magistrate Judge’s position is correct. Accordingly, the Court hereby adopts the Report and Recommendation in its entirety. For the reasons set forth therein, Grzeskowiak’s motion is **DENIED** and the case is summarily remanded back to state court.

**IT IS SO ORDERED.**

Dated this 16th day of March, 2007.

/s/ Ralph R. Erickson  
Ralph R. Erickson, District Judge  
United States District Court